 upon determining that the stream in the source code control (SCC) system is different than the stream in the database, providing a user a choice to select one of the stream in the source code control (SCC) system and the stream in the database;

checking out the item selected by the user; and

upon the user selecting the stream in the source code control (SCC) system, saving the stream in the source code control (SCC) system as the stream in the database.

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### REMARKS

Claims 1-18 were rejected. Claims 1, 2, 3, 4, 7, 8, 10, and 15 have been amended.

Claims 1-18 are now pending in this application. Applicants would like to thank Examiner Colbert for providing the opportunity to discuss the present application in a telephonic interview on October 1, 2001.

Applicant would like to note that Examiner Colbert asked that the acronym "SCC" in claims 10 and 15 be clarified. Accordingly, claims 10 and 15 have been amended to clarify that the acronym "SCC" refers to "source code control." Accordingly, these changes are for clarification purposes, and are unrelated to patentability.

### 35 USC §102(e) Rejection of the Claims

Claims 1-18 were rejected under 35 USC § 102(e) as being anticipated by House et al. (U.S. Patent No. 6,145,119) ("House"). According to the Office action, House allegedly discloses: a program that manipulates an item (column 2, lines 4-8), a database having the item (column 3, lines 44-50), a source code control system to store versions of the item (column 6, lines 17-34 and column 7, lines 52-67) and a mechanism to check in and check out the item

(column 5, lines 10-27). Furthermore, in response to Applicants previous response, the Office action also indicates that “[i]t is not clear . . . what Applicants’ mean by ‘a mechanism’ and ‘check in and check out of the item’” in the present application.

In response, Applicants have amended claims 1, 2, 3, 4, 7, and 8 to identify the “mechanism” as a “program.” These amendments are supported by the present specification at page 15, lines 6-11 and at page 17, lines 18-23. The amendments are made for the purposes of clarification only, do not require additional search, and are unrelated to patentability.

Furthermore, claims 1, 10, and 15 have been amended to clarify the terms “check in and check out.” In particular, as indicated in amended claim 1, checking out an item restricts modification of the item. For example, although the present invention is not so limited, in one embodiment, “checking out” an item refers to the process of tagging an item as “in use” by one user, such that another user cannot edit or modify the item until it has been checked back in (*Specification* - page 14, lines 9-14).

As suggested in Applicants’ previous response, because House does not teach or suggest using a source code control (SCC) system to store versions of an item, and because House does not teach or suggest a mechanism to check in and check out the item, as recited in amended claim 1 of the present invention, Applicants respectfully traverse the rejection.

House discloses a method for providing a programming development environment that supports the accessing of database software across an Internet or Intranet via Web-based networks (*House* – column 2, lines 49-55). In so doing, House provides a data structure that allows all elements and associations to be located in a single file (*House* – column 2, lines 57-60). Such a data structure makes group development easier and facilitates *file sharing* (*House* – column 2, lines 61-63). However, House does not teach or suggest the elements disclosed in

amended claim 1 of the present invention. For example, House does not teach or suggest providing a source code control (SCC) system that stores versions of an item. Also, House does not teach or suggest providing a mechanism to *check in and check out* the item, as with the present invention. This is to be expected, because as its title indicates, House is directed toward using a novel data structure to facilitate a programming development environment conducive to Intranet and Internet applications. The present invention, on the other hand, is directed toward, *inter alia*, checking in and out an item that is stored in a SCC system.

Nowhere does House teach that such a development computer permits an item to be checked in and out. On the contrary, by facilitating “file sharing,” House teaches away from the present invention’s claimed checking in and out of an item. Therefore, House does not anticipate the invention as recited in amended claim 1. For the same reasons discussed above, claims 2-9, which depend from amended claim 1, also are not anticipated by House. Accordingly, Applicants respectfully request that the rejection of claim 1 and claims 2-9 under 35 USC §102(e) be withdrawn.


For the same reasons expressed above with respect to claims 1-9, Applicants respectfully request withdraw of the rejection under 35 USC §102(e) of independent claim 10 and its dependent claims 11-14, and independent claim 15 and its dependent claims 16-18.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact Applicants' attorney Vincent J. Roccia at (215-564-8946).

Respectfully submitted,

Date: 11/1/01, 2001

  
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**Marked up versions of claims 1, 2, 3, 4, 7, 8, 10, and 15, which are amended herein, showing all of the changes relative to the previous version of each.**

1. A system comprising:
  - a first program to manipulate an item;
  - a database having the item;
  - a source code control (SCC) system to store versions of the item; and
  - a second program [mechanism] to check in and check out the item, such that modification of the item is restricted when the item is checked out.
2. The system of claim 1, wherein the first program comprises an editor program to edit the stored [program] item.
3. The system of claim 1, wherein the first program requests to check out the item such that the [mechanism] second program checks out the item to the first program.
4. The system of claim 3, wherein the second program [mechanism] provides the first program a choice of [a version] one or more different versions of the item at the source code control (SCC) system and [a version] one or more different versions of the item at the database.
7. The system of claim 1, wherein the first program requests to check in the item such that the second program [mechanism] checks in the item into the source code control (SCC) system.

8. The system of claim 7, wherein the second program [mechanism] checks in the item into the source code control (SCC) system as saved to the database.

10. A computer-implemented method to check out an item from a source code control (SCC) system comprising:

comparing a stream of the item in the source code control (SCC) [SCC] system with a stream of the item in a database;

determining whether the stream in the source code control (SCC) [SCC] system is identical to the stream in the database; [and]

upon determining that the system in the source code control (SCC) [SCC] system is different than the stream in the database, providing a user a choice to select one of the stream in the source code control (SCC) [SCC] system and the stream in the database; and

checking out the item selected by the user, such that modification of the item is restricted when the item is checked out.

15. A computer-readable medium having instructions stored thereon for execution by a computer to perform a method comprising:

comparing a stream of an item in the source code control (SCC) system with a stream of the item in a database;

determining whether the stream in the source code control (SCC) [SCC] system is identical to the stream in the database;

upon determining that the stream in the source code control (SCC) [SCC] system is different than the stream in the database, providing a user a choice to select one of the stream in the source code control (SCC) [SCC] system and the stream in the database; [and]

checking out the item selected by the user; and

upon the user selecting the stream in the source code control (SCC) [SCC] system, saving the stream in the source code control (SCC) [SCC] system as the stream in the database.